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Nissan Motor Acceptance Company LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SUPERB MOTORS INC. *et. al.*,

Plaintiffs,

- against -

ANTHONY DEO *et. al.*,

Defendants.

Case No.: 2:23-cv-6188 (JMW)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Nicholas A. Savino, dated March 18, 2025, the Declaration of Gregory Brown dated March 7, 2025, the Declaration of Robert Urrutia dated March 10, 2025, and the Memorandum of Law, dated March 18, 2025, Nissan Motor Acceptance Company (“NMAC”), by and through its counsel, move this Court before the Honorable James M. Wicks at the United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722 for an order permitting NMAC to intervene in the above-captioned action pending in the Eastern District of New York, styled *Superb Motors Inc., et. al. v. Deo et. al.*, bearing Docket Number 2:23-cv-06188-JMW (the “Action”) pursuant to Rule 24 of the Federal Rules of Civil Procedure, and upon intervention, vacating the injunction order dated September 29, 2023 (the “Injunction”) and the order dated May

8, 2024 modifying the Injunction (the “Modified Injunction”), and after vacatur, entry of an order permitting it to (i) sell the twenty (24) vehicles that were previously subject to the Modified Injunction; and (ii) apply the proceeds from the sale to the outstanding debt it is owed by plaintiff Robert Anthony Urrutia as guarantor for non-party Team Imports LLC.

PLEASE TAKE FURTHER NOTICE that any opposing affidavits and answering memoranda shall be served within the time provided by Local Civil Rule 6.1.

Dated: New York, New York
March 18, 2025

ZEICHNER ELLMAN & KRAUSE LLP

By: /s/ Nicholas A. Savino
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To: All Counsel of Record by ECF.